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Fiftieth session
Agenda item 26

DRAFT REPORT OF THE COMMISSION

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CONTENTS*

Chapter		Page
II.	Resolutions and decisions adopted by the Commission at its fiftieth session	
	A. Resolutions	
	1994/23. Work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities . .	
	1994/24. United Nations Voluntary Trust Fund on Contemporary Forms of Slavery	
	1994/25. Report of the Working Group on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities	

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* E/CN.4/1994/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/1994/L.11 and addenda.

GE.94-12022 (E)

CONTENTS (continued)

Chapter — Page

II. A. Resolutions (continued)

1994/26. International Decade of the World's Indigenous People . . . . . .

1994/27. Human rights and disability . . . . . .

1994/28. A permanent forum in the United Nations for indigenous people . . . . . .

1994/29. Report of the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities . . . . . .

1994/23. Work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Taking note of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-fifth session (E/CN.4/1994/2-E/CN.4/Sub.2/1993/45),

Expressing its appreciation for the positive contribution made by the Sub-Commission to the promotion and protection of human rights,

Recalling the terms of reference of the Sub-Commission as defined by the Commission and its particular responsibilities established, inter alia, in Commission resolutions 8 (XXIII) of 16 March 1967 and 17 (XXXVII) of 10 March 1981, Economic and Social Council resolutions 1235 (XLII) of 6 June 1967 and 1503 (XLVIII) of 27 May 1970, and the relevant resolutions of the General Assembly,

Recalling also its resolution 1992/66 of 4 March 1992, in which it provided certain guidelines for the work of the Sub-Commission, and Economic and Social Council resolution 1991/32 of 31 May 1991 on strengthening the independence of the experts members of the Sub-Commission,

Noting that the Sub-Commission has already elaborated guidelines for its work,

Noting also that the Sub-Commission has decided, in its resolution 1993/4 of 20 August 1993 to convene, during its forty-sixth session and in pursuance of the invitation contained in Commission resolution 1993/28 of 5 March 1993, a sessional working group to continue the study of its methods of work,

Taking note of the report of the Chairman of the Sub-Commission at its forty-fifth session (E/CN.4/1994/70) and the proposals contained therein,

Noting with appreciation the dialogue and the spirit of cooperation between the Commission and the Sub-Commission, as reflected in the mutual exchange of information by their respective chairpersons, in accordance with paragraphs 17 and 18 of Commission resolution 1990/64 of 7 March 1990,

Convinced of the need for a further strengthening of substantial and meaningful dialogue between the Commission and the Sub-Commission,

Also convinced that it is essential that the impartiality and the objectivity of the Sub-Commission and the independent status of its members and their alternates should continue to be its guiding principles,

Further convinced that the credibility and effectiveness of the Sub-Commission as an expert human rights body are dependent on Governments nominating and the Commission electing as members and alternates of the Sub-Commission only individuals who possess genuine expertise in the field of human rights and who are able to act independently of their Governments,

Stressing the valuable role that the Sub-Commission, as a body of independent experts, can play, inter alia, in addressing new developments in the field of human rights and also in providing a forum for the contributions of non-governmental organizations in the field of new developments,

Mindful of the important contribution in general that non-governmental organizations in consultative status with the Economic and Social Council can make to the work of the Sub-Commission, in conformity with the principles embodied in Council resolutions 1296 (XLIV) of 23 May 1968 and 1919 (LVIII) of 5 May 1975,

Convinced that it is highly appropriate for the Commission to give considered attention to the work of the Sub-Commission and thereby maintain the effectiveness of both bodies in their respective roles,

Recalling the continuing importance for the Commission to give guidance to the Sub-Commission, and for the Sub-Commission to follow that guidance, in the light of the mandate already granted to it, in order to ensure the complementarity of its activities with those of the Commission,

1. Reaffirms that the Sub-Commission on Prevention of Discrimination and Protection of Minorities can best assist the Commission on Human Rights by providing it with recommendations based on the different views and perspectives of independent experts, which should be appropriately reflected in the report of the Sub-Commission, as well as in the expert studies carried out under its auspices;

2. Calls upon the Sub-Commission, in the fulfilment of its functions and duties, to be guided by the relevant resolutions of the Commission and the Economic and Social Council;

3. Welcomes Sub-Commission resolution 1992/8 of 26 August 1992 and the guidelines annexed thereto;

4. Requests the Sub-Commission to implement fully those guidelines;

5. Also requests the Sub-Commission to pay attention to the guidelines concerning the number of studies and to establish priorities relating to its work so as to avoid requesting the Commission's approval of more studies and similar activities than provided for in the guidelines;

6. Further requests the Sub-Commission to restrict its requests to the Secretary-General to ask Governments, intergovernmental organizations, the specialized agencies and other such bodies for their views and comments on requests relating to those studies that have received prior explicit approval from the Commission;

7. Reiterates its invitation to the Sub-Commission to continue, in particular in the forthcoming sessional working group to be convened pursuant to Sub-Commission resolution 1993/4 of 20 August 1993, its consideration of ways in which its work should be improved, with a view to making recommendations, in particular on the following points:

(a) Initiatives for better coordination with the Commission;

(b) Proposals concerning the rationalization of the agenda, bearing in mind, inter alia, the relationship between the agenda of the Sub-Commission and that of the Commission;

(c) Initiatives which would facilitate the widest possible dissemination of the findings of the Sub-Commission, such as the preparation of a short summary of each completed study, the purpose being that the summaries of all studies completed during a session should be published separately in various languages, for example in the Fact Sheet series of the Centre for Human Rights, thus contributing to better publicity for the studies;

8. Reaffirms that one of the tasks of the Sub-Commission is a thorough examination of information concerning alleged human rights violations, as well as the presentation of the results of the examination to the Commission;

9. Invites the Sub-Commission to continue to give due regard to new developments in the field of human rights;

10. Notes the initiative of the Sub-Commission to request information about emergency situations and welcomes this as a new development which should be applied in appropriate circumstances relating to human rights and to which Governments should give a prompt and appropriate response;

11. Calls upon States to nominate as members and alternates persons meeting the criteria of independent experts, who should discharge in that capacity their functions as members of the Sub-Commission, and to respect fully the independence of elected members and alternates;

12. Requests the Secretary-General to continue to give strong support to the Sub-Commission and, in particular, to ensure that Sub-Commission documents are available in all languages in good time before the session;

13. Invites the Chairman of the Commission to inform the Sub-Commission on the debate under this item;

14. Decides to invite the Chairman of the Sub-Commission at its forty-fifth session to come for consultations with the members of the Bureau of the Commission at an appropriate time during the meeting of the Bureau of the Commission at the conclusion of its fiftieth session and the Chairman of the Sub-Commission at its forty-sixth session to report to the Commission at its fifty-first session on the progress made concerning the issues referred to in the present resolution and on significant aspects of the work of the Sub-Commission.

55th meeting
4 March 1994
[Adopted without a vote.]

1994/24. United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

The Commission on Human Rights,

Recalling article 4 of the Universal Declaration of Human Rights and article 8 of the International Covenant on Civil and Political Rights, which state that no one shall be held in slavery or servitude,

Affirming that the struggle to eliminate slavery includes the provision of assistance to the victims and to the representatives of non-governmental organizations dealing with issues of contemporary forms of slavery,

Bearing in mind General Assembly resolution 46/122 of 17 December 1991, in which the Assembly decided to establish a voluntary trust fund on contemporary forms of slavery,

Convinced that the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery will play an important role in the protection of the human rights of victims of contemporary forms of slavery,

1. Welcomes the appointment by the Secretary-General of a Board of Trustees of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, in accordance with General Assembly resolution 46/122 of 17 December 1991;

2. Expresses its grave concern at the present financial situation of the Fund due to a lack of contributions;

3. Appeals again to all Governments, organizations and individuals in a position to do so to respond favourably to requests for contributions to the Fund, if possible on a regular basis;

4. Requests the Secretary-General to continue to transmit to all Governments the appeal of the Commission on Human Rights for contributions to the Fund;

5. Repeats its request to the Secretary-General to make use of all existing possibilities to assist the Board of Trustees of the Fund, inter alia through the preparation, production and dissemination of information material, in its efforts to make the Fund and its humanitarian work better known.

55th meeting
4 March 1994
[Adopted without a vote.]

1994/25. Report of the Working Group on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Recalling the provisions of the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949, as well as article 4 of the Universal Declaration of Human Rights and article 8 of the International Covenant on Civil and Political Rights, which state that no one shall be held in slavery or servitude,

Taking note of the report of the Working Group on Contemporary Forms of Slavery on its eighteenth session (E/CN.4/Sub.2/1993/30), submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-fifth session,

Recalling its resolution 1982/20 of 10 March 1982 on the question of slavery and the slave trade in all their practices and manifestations and its resolutions on the reports of the Working Group on Contemporary Forms of Slavery of the Sub-Commission, including the most recent, resolution 1993/27 of 5 March 1993,

Recalling its encouragement of the Sub-Commission, including its Working Group, to continue to elaborate recommendations on the ways and means of establishing an effective mechanism for the implementation of the Conventions on slavery on the basis of the study prepared by the Secretary-General on this issue (E/CN.4/Sub.2/1989/37),

Having considered the relevant resolutions of the Sub-Commission, including the most recent, resolutions 1993/5 and 1993/7 of 20 August 1993,

Noting the recommendation of the Sub-Commission, contained in its resolution 1993/7, that the Commission create for a period of three years a working group on contemporary forms of slavery, composed of five independent experts with relevant experience in the field of human rights and contemporary forms of slavery in particular, with the task of monitoring the application of the Conventions on slavery through the examination of the information it receives,

Considering that the Sub-Commission, in its resolution 1993/7, did not elaborate on the issue of whether a new working group on contemporary forms of slavery under the auspices of the Commission would prove an effective mechanism for the implementation of the Conventions on slavery,

Considering also that the desirability of establishing such a working group must be assessed inter alia in the light of the current mandate of the existing Working Group on Contemporary Forms of Slavery, of the need for avoiding duplication of effort and of other possible options for establishing an effective mechanism for the implementation of the Conventions on slavery,

Recalling Economic and Social Council resolution 1993/48 of 28 July 1993 and its earlier resolutions on the subject,

Taking note of the information on the state of implementation of the Programme of Action for the Prevention of the Sale of Children, Child

Prostitution and Child Pornography submitted by States, specialized agencies and non-governmental organizations contained in the report of the Working Group submitted pursuant to paragraph 6 of Sub-Commission resolution 1992/2 of 14 August 1992 and transmitted to the Commission (E/CN.4/Sub.2/1993/31 and Add.1),

Taking note also of the draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others contained in the report of the Secretary-General (E/CN.4/1994/71 and Add.1),

Recalling that the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, calls for eliminating the exploitation of and trafficking in women and combating the exploitation and abuse of children,

Gravely concerned that slavery, the slave trade, slavery-like practices and even modern manifestations of this phenomenon still exist, representing some of the gravest violations of human rights,

1. Expresses its appreciation to the Working Group on Contemporary Forms of Slavery of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for its valuable work, in particular the progress made at its eighteenth session in implementing its programme of work, and for its flexible methods of work;

2. Expresses its grave concern at manifestations of contemporary forms of slavery as reported to the Working Group;

3. Invites the Sub-Commission at its forty-sixth session to clarify its position on the Working Group on Contemporary Forms of Slavery and to review its resolution 1993/7 of 20 August 1993 in the light of the current mandate of the existing Working Group, of the need for avoiding duplication of effort, and of other possible options for establishing an effective mechanism for the implementation of the Conventions on slavery, taking into account the observations contained in the study prepared by the Secretary-General on this issue (E/CN.4/Sub.2/1989/37) and also taking into account any observations the Working Group may have;

4. Also invites the Sub-Commission to submit to the Commission at its fifty-first session its recommendation(s) for establishing an effective mechanism for the implementation of the Conventions on slavery in order to enable the Commission to take a well-considered decision on the matter;

5. Further invites the Sub-Commission to consider strengthening its involvement in the activities of the existing Working Group on Contemporary Forms of Slavery as an alternative to establishing a new mechanism for the implementation of the Conventions on slavery;

6. Recommends that the Sub-Commission consider the possibility of giving guidelines to the Working Group for setting priorities in the field of its activities;

7. Requests the Secretary-General to invite States parties to the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 to submit to the Working Group regular reports on the situation in their countries, as provided for under the Conventions;

8. Invites those eligible States that have not ratified or acceded to the relevant Conventions to consider doing so as soon as possible or to explain in writing, if they so wish, why they feel unable to do so, and invites them to consider providing information regarding their national legislation and practices in this field;

9. Invites intergovernmental organizations, relevant organizations of the United Nations system, including the United Nations Children's Fund, the United Nations Development Programme, the United Nations University, the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the World Bank, the International Monetary Fund and the World Tourism Organization, as well as the International Criminal Police Organization and non-governmental organizations concerned, to supply relevant information to the Working Group;

10. Appeals to all Governments to send representatives to the sessions of the Working Group;

11. Calls upon all relevant non-governmental organizations, including those interested in the rights of children and women, to attend the sessions of the Working Group;

12. Recommends that Governments avail themselves of the possibility of requesting assistance under the United Nations programme of advisory services in

the field of human rights and of the technical assistance programmes of the specialized agencies, in particular that of the International Labour Office;

13. Also recommends that the supervisory bodies of the International Labour Organisation give particular attention in their work to the implementation of provisions and standards designed to ensure the protection of children and other persons exposed to contemporary forms of slavery;

14. Invites all Member States to consider the possibility of taking appropriate action for the protection of particularly vulnerable groups, such as children and migrant women, against exploitation by prostitution and other slavery-like practices, including the possibility of establishing national bodies to achieve this objective;

15. Encourages all Governments to consider, in the context of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, the creation of programmes aimed at the social rehabilitation of all persons involved in prostitution, and of children in particular;

16. Invites the Special Rapporteur on the sale of children to continue to provide the Working Group on Contemporary Forms of Slavery with his valuable assistance;

17. Requests the Secretary-General to continue to seek the views of States concerning the draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others;

18. Requests Governments to pursue a policy of information, prevention and rehabilitation of children and women victims of the exploitation of prostitution and to take the appropriate economic and social measures deemed necessary to that effect;

19. Recalls that the Economic and Social Council, in its resolution 1993/48 of 28 July 1993, requested the Secretary-General to submit a further report to the Council on the steps taken by Member States, organizations of the United Nations system and intergovernmental organizations to implement the recommendations contained in Council resolution 1983/30 of 26 May 1983, and invites the Working Group to take these reports into account, inter alia, when identifying lacunae and policy options;

20. Recalls once again its request to the Secretary-General to designate the Centre for Human Rights as the focal point for the coordination of activities

in the United Nations system for the suppression of contemporary forms of slavery;

21. Welcomes the decision of the Secretary-General to reassign to the Working Group a Professional staff member of the Centre for Human Rights, as was the case in the past, to work on a permanent basis to ensure continuity and close coordination within and outside the Centre on issues relating to contemporary forms of slavery.

55th meeting
4 March 1994
[Adopted without a vote.]

1994/26. International Decade of the World's Indigenous People

The Commission on Human Rights,

Guided by the purposes and principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Bearing in mind that one of the purposes of the United Nations, as set forth in its Charter, is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling General Assembly resolution 42/171 of 11 December 1987 and Economic and Social Council resolution 1988/63 of 27 July 1988 and its annex, related to guidelines for international decades,

Recalling also General Assembly resolution 45/164 of 18 December 1990, in which the Assembly proclaimed 1993 as the International Year of the World's Indigenous People, with a view to strengthening international cooperation for the solution of problems faced by indigenous people in the areas, inter alia, of human rights, the environment, development, education and health,

Acknowledging the significance of the International Year in raising international awareness of the contribution of, and problems faced by, indigenous people throughout the world, and aware of the need to build on the results and lessons of the International Year,

Recognizing the importance of consulting and cooperating with indigenous people, the need for financial support from the international community,

including support from within the United Nations and the specialized agencies, the need for a strategic planning framework and the need for adequate coordination and communication channels,

Expressing its appreciation of the work undertaken by the Coordinator of the Year, the Centre for Human Rights, the International Labour Organisation, the Goodwill Ambassador, Ms. Rigoberta Menchú, and the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recognizing the value and the diversity of the cultures and the forms of social organization of the world's indigenous people,

Welcoming the report of the United Nations Conference on Environment and Development, in which the vital role of indigenous people and their communities in the interrelationship between the natural environment and its sustainable development is recognized, including their holistic traditional scientific knowledge of their lands, natural resources and environment,

Noting the recommendations included in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights to proclaim an international decade of the world's indigenous people, including action-oriented programmes to be decided upon in partnership with indigenous people,

Noting also the decision of the General Assembly that, beginning in the first year of the Decade, one day of every year shall be observed as the International Day of Indigenous People,

1. Welcomes the decision of the General Assembly in its resolution 48/163 of 21 December 1993 to proclaim the International Decade of the World's Indigenous People, commencing on 10 December 1994;

2. Also welcomes the decision of the General Assembly that the goal of the Decade should be the strengthening of international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health;

3. Recognizes the importance of developing partnerships based on mutual respect and understanding with indigenous people in striving to achieve cooperative action to address those issues of concern to indigenous people;

4. Notes that the period from 1 January to 9 December 1994 is to be set aside for planning for the Decade in partnership with indigenous people, and emphasizes the need for careful planning and full collaboration and consultation

with indigenous people in all aspects of preparation and planning for, and implementation of, activities during the Decade;

5. Invites the Working Group on Indigenous Populations to propose at its next session an appropriate date for one day of every year to be observed as the International Day of Indigenous People, following consultations with indigenous representatives;

6. Requests the Assistant Secretary-General for Human Rights as the Coordinator of the Decade to coordinate the international programme of activities for the Decade in full collaboration and consultation with Governments, competent bodies, regional organizations, the International Labour Organisation and other specialized agencies of the United Nations, and indigenous and non-governmental organizations;

7. Also requests the Assistant Secretary-General for Human Rights, bearing in mind the contribution that indigenous people can make, to establish a unit within the Centre for Human Rights to support its activities related to indigenous people and in particular to plan, coordinate and implement activities for the Decade;

8. Further requests the Secretary-General to make available adequate human and financial resources from within existing resources to enable the unit in the Centre for Human Rights to carry out the full range of its tasks associated with the planning, coordination and implementation of activities for the Decade, including documentation, communication and data processing needs;

9. Urges United Nations bodies and specialized agencies to designate focal points for coordination with the Centre for Human Rights of activities related to the Decade;

10. Encourages Governments to establish national committees or other mechanisms involving indigenous people to ensure that objectives and activities for the Decade are planned and implemented on the basis of full partnership with indigenous people;

11. Requests specialized agencies, regional commissions and other organizations of the United Nations system to develop with Governments in partnership with indigenous people how they can contribute to the success of the Decade, and to transmit their recommendations to the Coordinator and to the Economic and Social Council;

12. Appeals to the specialized agencies, regional commissions, financial and development institutions and other relevant organizations of the United Nations system to increase their efforts to take into special account the needs of indigenous people in developing evaluation mechanisms, budgeting and programming, including through an examination of how existing programmes and resources might be utilized to benefit indigenous people more effectively and through exploration of ways in which indigenous perspectives and activities can be included or enhanced;

13. Invites indigenous organizations and other interested non-governmental organizations to consider the contributions they can make to the success of the Decade through specific objectives, programmes and activities, with a view to presenting them to the Working Group on Indigenous Populations;

14. Requests that the meeting to be convened in accordance with General Assembly resolution 46/128 of 17 December 1991, with full participation of indigenous people, review the International Year of the World's Indigenous People and also consider preparations for the Decade, particularly with regard to the elaboration of a detailed plan of action, including an evaluation mechanism based on measurable criteria and a suggested funding plan for the Decade, and that the meeting report to the next session of the Working Group on Indigenous Populations;

15. Requests the Working Group on Indigenous Populations to identify possible programmes, projects and other activities in connection with the Decade and to submit them, through the Sub-Commission on Prevention of Discrimination and Protection of Minorities, to the Commission on Human Rights at its fifty-first session;

16. Requests the Secretary-General to establish a voluntary fund for the Decade, and authorizes him to seek, accept and administer voluntary contributions from Governments, intergovernmental and non-governmental organizations and other private institutions and individuals for the purpose of funding projects and programmes during the Decade;

17. Urges Governments and intergovernmental organizations and invites indigenous organizations, non-governmental organizations and other private institutions and individuals to contribute to the voluntary fund for the Decade to be established by the Secretary-General;

18. Invites Governments, competent United Nations bodies and specialized agencies and other intergovernmental institutions, including financial institutions, to consider providing additional resources to finance the employment or placement of staff, including indigenous staff, in the unit in the Centre for Human Rights, bearing in mind the need for equitable geographical balance;

19. Requests the Secretary-General to give all the assistance necessary to ensure the success of the Decade;

20. Also requests the Secretary-General to submit a preliminary report to the General Assembly at its forty-ninth session and a further report at its fiftieth session on a comprehensive programme of activities for the Decade;

21. Decides to consider the subject of the International Decade of the World's Indigenous People at its fifty-first session.

55th meeting
4 March 1994
[Adopted without a vote.]

1994/27. Human rights and disability

The Commission on Human Rights,

Mindful of the pledge made by States, under the Charter of the United Nations, to take action jointly and separately, in cooperation with the United Nations, in order to promote a better quality of life, full employment, and conditions of economic and social progress and development,

Reaffirming the commitment to human rights and fundamental freedoms, social justice and the dignity and worth of the human person proclaimed in the Charter,

Recalling in particular the international standards of human rights laid down in the Universal Declaration of Human Rights,

Noting that the rights proclaimed in those instruments should be ensured equally to all individuals without discrimination,

Noting also the Centre for Human Rights publication Human Rights and Disabled Persons (United Nations publication, Sales No. E.92.XIV.4) by Mr. Leandro Despouy, Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in which the establishment of a mechanism such as an international ombudsman is proposed;

Recalling Economic and Social Council resolution 1990/26 of 24 May 1990 and the detailed enumeration in the Vienna Declaration and Programme of Action of specific measures required for the attainment of full equality by persons with disabilities,

Recalling also General Assembly resolution 48/96 of 20 December 1993, in which the Assembly adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and in particular the decision to appoint, within the framework of the Commission for Social Development, a special rapporteur to monitor the implementation of the Standard Rules (Part IV, para. 2),

1. Calls upon the Secretary-General to maintain the integrity of programmes within the United Nations system relating to disabled persons, including the United Nations Voluntary Fund on Disability, in order to promote the rights and the equalization of opportunities and full inclusion within societies of persons with disabilities;

2. Welcomes the work done by the Committee on Economic, Social and Cultural Rights to draw attention to the recommendations of the Special Rapporteur on human rights and disability;

3. Also welcomes the call by the General Assembly to States to apply the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, adopted by the General Assembly in its resolution 48/96 of 20 December 1993;

4. Urges States to cooperate fully with the Special Rapporteur appointed, within the framework of the Commission for Social Development, to monitor the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and to meet his requests for information;

5. Also urges States to cooperate fully in the provision of relevant data to the Committee on Economic, Social and Cultural Rights;

6. Encourages all the human rights treaty-monitoring bodies to respond positively to its invitation to monitor the compliance of States with their

commitments under the relevant human rights instruments in order to ensure the full enjoyment of those rights by disabled persons;

7. Urges non-governmental organizations active in the protection and promotion of persons with disabilities to provide relevant information to the Committee on Economic Social and Cultural Rights and the Centre for Human Rights;

8. Requests the Secretary-General to report biennially to the General Assembly on the progress of efforts to ensure the full recognition and enjoyment of the human rights of disabled people;

9. Reaffirms its commitment to ensuring that the rights of persons with disabilities and their concern for full participation in community affairs continue to be addressed in all of its work;

10. Decides to continue to consider the question at its fifty-first session under the agenda item "Report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities".

55th meeting
4 March 1994
[Adopted without a vote.]

1994/28. A permanent forum in the United Nations for indigenous people

The Commission on Human Rights,

Guided by the purposes and principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Bearing in mind Articles 55 and 56 of the Charter of the United Nations in the context of all human rights of indigenous people,

Recalling the recommendations pertaining to indigenous people included in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, in particular the recommendation that the establishment of a permanent forum for indigenous people in the United Nations system be considered,

Recalling also the recommendations of the United Nations Conference on Environment and Development to involve indigenous people and their communities in the United Nations programmes of environment and development as stated in article 22 of the Rio Declaration on Environment and Development and in chapter 26 of Agenda 21,

Recalling further that the General Assembly, in its resolution 48/163 of 21 December 1993 on the International Decade of the World's Indigenous People,

requested the Commission on Human Rights, at its fiftieth session, to give priority consideration to the establishment of a permanent forum for indigenous people within the United Nations system,

Recognizing the importance of increased incorporation of the values, views and knowledge of indigenous people into relevant aspects of the programmes and activities of the United Nations system,

Taking into consideration the desirability of consulting indigenous organizations in the consideration of the establishment of a permanent forum,

Acknowledging the important role of the Working Group on Indigenous Populations in this respect,

1. Requests the Assistant Secretary-General for Human Rights, to invite Governments and indigenous organizations to express their views pertaining to the possibility of establishing a permanent forum for indigenous people and to transmit to the Working Group on Indigenous Populations prior to its twelfth session contributions received, together with a technical note addressing institutional issues related thereto;

2. Requests the Working Group on Indigenous Populations, at its twelfth session, to give priority consideration to the possible establishment of a permanent forum for indigenous people and to submit its suggestions for alternatives, through the Sub-Commission on Prevention of Discrimination and Protection of Minorities, to the Commission on Human Rights at its fifty-first session;

3. Decides to consider the question of a permanent forum at its fifty-first session.

55th meeting
4 March 1994
[Adopted without a vote.]

1994/29. Report of the Working Group on Indigenous Populations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Commission on Human Rights,

Recalling Economic and Social Council resolution 1982/34 of 7 May 1982, in which the Council authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish annually a working group on indigenous populations with the mandate to review developments

pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous people, giving special attention to the evolution of standards concerning the rights of indigenous people,

Recalling also its resolution 1988/44 of 8 March 1988, in which it urged the Working Group on Indigenous Populations to intensify its efforts in carrying out its plan of action and to continue the elaboration of international standards in this field,

Having examined the report of the Working Group on its eleventh session (E/CN.4/Sub.2/1993/29 and Add.1),

Conscious that, in various situations, indigenous people are unable to enjoy their inalienable human rights and fundamental freedoms,

Determined to do everything possible to promote the enjoyment of the human rights and fundamental freedoms of indigenous people,

Bearing in mind that international standards must be developed on the basis of the diverse realities of indigenous people in all parts of the world,

Bearing in mind also the completion by the Working Group on Indigenous Populations of its work on a text for a draft declaration on the rights of indigenous people, reflective, inter alia, of the value and diversity of cultures and the forms of social organization of indigenous people,

1. Takes note of the report of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on its forty-fifth session (E/CN.4/1994/2-E/CN.4/Sub.2/1993/45);

2. Expresses its appreciation and satisfaction to the Working Group on Indigenous Populations of the Sub-Commission for its valuable work;

3. Also expresses its appreciation to observers participating in the eleventh session of the Working Group on Indigenous Populations, representatives of Governments, the specialized agencies, non-governmental organizations and indigenous organizations for their active and constructive participation in its work;

4. Notes the decision of the Sub-Commission:

(a) To postpone until its forty-sixth session consideration of the draft declaration prepared by the Working Group;

(b) To request the Secretary-General to submit the draft declaration to the appropriate services within the Centre for Human Rights for its technical revision;

(c) To request the Secretary-General to transmit the technically revised text of the draft declaration to Governments, intergovernmental and non-governmental organizations and to indigenous people and organizations no later than 31 March 1994 and to note explicitly that no further amendments to the technically revised text will be accepted during the future proceedings of the Working Group but that the report of the Working Group on its twelfth session will contain a summary of general views expressed by the participants on the draft declaration;

5. Urges the Sub-Commission to complete its consideration of the draft declaration and submit to the Commission on Human Rights at its fifty-first session the draft declaration together with any recommendations thereon;

6. Recommends to the Economic and Social Council that:

(a) The Working Group be authorized to meet for five working days prior to the forty-sixth session of the Sub-Commission;

(b) Upon final adoption of the draft declaration by the General Assembly, it be issued as a United Nations sales publication so as to ensure its wide distribution;

7. Invites the Working Group to take into account in its deliberations on developments pertaining to the promotion and protection of the human rights of indigenous people the work, within the framework of their respective mandates, of all thematic special rapporteurs, special representatives, independent experts and working groups as it pertains to the situation of indigenous people;

8. Urges the Working Group to continue its comprehensive review of developments and of the situation and aspirations of indigenous people throughout the world;

9. Requests the Secretary-General to give all the necessary resources and assistance to the Working Group in discharging its tasks, including adequate dissemination of information about the activities of the Working Group to Governments, specialized agencies and non-governmental and indigenous organizations, in order to encourage the widest possible participation in its work;

10. Requests the Secretary-General:

(a) To transmit the reports of the Working Group to Governments, indigenous organizations and intergovernmental and non-governmental organizations, as soon as possible, for specific comments and suggestions;

(b) To ensure that all meetings of the Working Group at its twelfth session are provided with interpretation and documentation;

11. Expresses its gratitude and appreciation to the Governments and organizations that have made contributions to the United Nations Voluntary Fund for Indigenous Populations;

12. Appeals to all Governments, organizations and individuals in a position to do so to consider favourably requests for further contributions to the Fund;

13. Authorizes the Chairperson-Rapporteur of the Working Group on Indigenous Populations to represent the Working Group at the International Conference on Population and Development to take place at Cairo from 6-13 September 1994;

14. Expresses its appreciation to the Special Rapporteur, Mrs. Erica-Irene Daes, for her timely completion of the study on measures to strengthen respect for the cultural property of indigenous people (E/CN.4/Sub.2/1993/28);

15. Endorses the proposal, made by the Sub-Commission at its forty-fifth session, to hold a seminar on indigenous land rights and claims, within existing resources, with the participation of representatives of Governments, indigenous people and experts;

16. Encourages all the initiatives that can be taken by Governments, indigenous organizations and non-governmental organizations to ensure the full participation of indigenous people in the activities related to the tasks of the Working Group.

55th meeting
4 March 1994
[Adopted without a vote.]

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